

BOARD OF COUNTY COMMISSIONERS

LINCOLN COUNTY

STATE OF MONTANA

ANTHONY J. BERGET, Commissioner
DISTRICT NO. 1, LIBBY

RON DOWNEY, Commissioner
DISTRICT NO. 2, TROY

MARIANNE B. ROOSE, Commissioner
DISTRICT NO. 3, EUREKA

TAMMY D. LAUER
CLERK OF THE BOARD AND COUNTY RECORDER

August 11, 2011

Mel Parker
P.O. Box 609
Libby, MT 59923

Dear Mel:

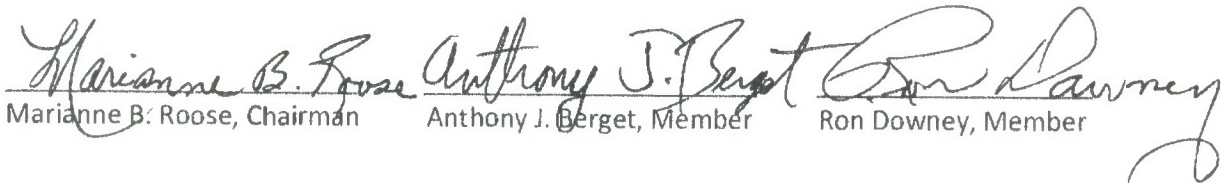
After our meeting yesterday, we contacted the E.P.A. to discuss your concerns with access to your property on the north side of Highway 37 adjoining the Rainy Creek Road. During our meeting with E.P.A., we discussed the location of the "hut", your desire to be able to water your property, and the number of trucks using the Rainy Creek Road.

After reviewing pictures of the hut, we concur with E.P.A. that its location is not interfering with access to your property. The placement in its current location is necessary for safety reasons offering the best line of site for truck traffic and the widest location on the road.

E.P.A. is willing to work with you to trench the road allowing you to run a water line under it. The County can issue you a permit to cut the road. If you wish to pursue this, please contact Marc McCully, the Libby Road Foreman, to obtain the permit. There is a \$100.00 fee for the road opening permit and all costs to bring the road back to its original condition are the responsibility of the permit holder. Marc can explain what is required for fill and surface materials. Before you begin construction, you also need to coordinate your project with the E.P.A. to avoid disruption of their operations.

On a final note, as we have told you numerous times, we believe the existing Rainy Creek Road is a County road. That is our official position. If you do not agree with our position, the best solution to resolve this question would be to have a court make a determination on this issue.

Sincerely,


Marianne B. Roose, Chairman Anthony J. Berget, Member Ron Downey, Member